


AGENCY USE ONLY				
PERMIT NO.: <u>MT6010199</u>	Date Rec'd.: <u>1/29/14</u>	Amount Rec'd.: <u>\$600</u>	Check No.: <u>9958</u>	Rec'd By: <u>hs</u>

**RECEIVED**  
 JAN 29 2014  
 DEQ/WPB  
 PERMITTING & COMPLIANCE DIV.



## Montana Department of ENVIRONMENTAL QUALITY

### WATER PROTECTION BUREAU

FORM <b>NOI</b>	<b>Notice of Intent (NOI) for Montana Pollution Discharge Elimination System Application for New and Existing Concentrated Animal Feeding Operations</b>
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The Application form is to be completed by the owner or operator of a Concentrated Animal Feeding Operation (CAFO) or Aquatic Animal Production Facility. Please read the attached instructions before completing this form. You must print or type legibly; forms that are not legible or are not complete will be returned. You must maintain a copy of the completed application form for your records.

**Section A - Application Status** *(Check one):*

☐ New  
☐ Resubmitted  
☒ Renewal  
☐ Modification

No prior application submitted for this site.  
 Permit Number: MTG \_\_\_\_\_  
 Permit Number: MTG 0 1 0 1 9 9  
 Permit Number: MTG \_\_\_\_\_

COPY

**Section B - Facility or Site Information** *(See instruction sheet.):*

Site Name FOSTER RANCH & FEEDLOT, INC  
 Site Location SECTION 8 & 17, RANGE 30E, TOWNSHIP 9N  
 Nearest City or Town MELSTONE County MUSSELSHELL  
 Latitude N 46, 33' 0" Longitude W 107, 58' 34"  
 Date Facility began operation? 1950  
 Is this facility or site located on Indian Lands? ☐ Yes ☒ No

**Section C - Applicant (Owner/Operator) Information:**

Owner or Operator Name WILLIAM EDWARD BERGIN  
 Mailing Address PO BOX 49  
 City, State, and Zip Code MELSTONE, MT 59054  
 Phone Number 406-947-2103  
 Is the person listed above the owner? ☒ Yes ☐ No  
 Status of Applicant *(Check one)* ☐ Federal ☐ State ☒ Private ☐ Public ☐ Other (specify) \_\_\_\_\_

**Section D - Existing or Pending Permits, Certifications, or Approvals:** ☐ None

☐ MPDES \_\_\_\_\_ ☐ RCRA \_\_\_\_\_  
☐ PSD (Air Emissions) \_\_\_\_\_ ☒ Other MT 8010199  
☐ 404 Permit (dredge & fill) \_\_\_\_\_ ☐ Other \_\_\_\_\_

**Section E - Standard Industrial Classification (SIC) Codes:**

Provide at least one SIC code which best reflects the activity of project described in Section H.

Code	A. Primary	Code	B. Second
1	211	2	
Code	C. Third	Code	D. Fourth
3		3	

**Section F - Facility or Site Contact Person/Position:**

Name and Title, or Position Title \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, and Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_

**Section G - Receiving Surface Waters(s):**

Outfall/Discharge Locations: For each outfall, List latitude and longitude to the nearest second and the name of the receiving waters

Outfall Number	Latitude	Longitude	Receiving Surface Waters
001	46,33'31"	107, 58' 38"	MUSSELSHELL RIVER
002			
003			
004			
005			

Map: Attach a topographic map extending one mile beyond the property boundaries or the site activity identified in Section B depicting the facility or activity boundaries, major drainage patterns, and the receiving surface waters, stated above. Also identify the specific location of the production area, and land application area(s).

Is the receiving water on the 303(d) list for nutrients (nitrogen and/or phosphorus) ☐ Yes ☒ No

## Section H – Concentration Animal Feeding Operation Characteristics

### Waste Production, Storage and Disposal

	Animal type	Number in Open Confinement	Number Housed Under Roof
<input type="checkbox"/>	Mature Dairy Cows		
<input type="checkbox"/>	Dairy Heifers		
<input type="checkbox"/>	Veal Calves		
<input checked="" type="checkbox"/>	Cattle (not dairy or veal)	5000	0
<input type="checkbox"/>	Swine (55 lbs or over)		
<input type="checkbox"/>	Swine (55 lbs or under)		
<input type="checkbox"/>	Horses		
<input type="checkbox"/>	Sheep or Lambs		
<input type="checkbox"/>	Turkeys		
<input type="checkbox"/>	Chickens (broilers)		
<input type="checkbox"/>	Chickens (layers)		
<input type="checkbox"/>	Ducks		
<input type="checkbox"/>	Other (Specify: _____)		
<input type="checkbox"/>	Other (Specify: _____)		
<input type="checkbox"/>	Other (Specify: _____)		

### Manure, Litter and/or Wastewater Production and Use.

How much manure, litter, and process wastewater is generated annually by the facility?

Solid (tons): 2730 Liquid/Slurry (gallons): \_\_\_\_\_

If land applied, how many acres of land under control of the permit applicant are available to apply the manure, litter, or process wastewater generated from the facility? (Note: Do not include setback distances in available acreage)

0 Acres

How much manure, litter, and process wastewater is transferred to other persons per year? (estimated) Solid (tons): 2730 Liquid/Slurry (gallons): \_\_\_\_\_

Were the containment structures built after February 2006?

- ☐ Do the waste containment structures have 10 feet of separation between the pond bottom and any bedrock formations?
- ☐ Do the waste containment structures have 4 feet of separation from the pond bottom and any ground water?
- ☐ Were any of the waste containment structures built within 500 feet of any existing well?

Type of Containment/Storage	Total Capacity	Units (gallons or tons)	Days of Storage
<input type="checkbox"/> Anaerobic Lagoon			
<input type="checkbox"/> Storage Pond #1			
<input type="checkbox"/> Storage Pond #2			
<input type="checkbox"/> Storage Pond #3			
<input type="checkbox"/> Storage Pond #4			
<input type="checkbox"/> Storage Pond #5			
<input type="checkbox"/> Above Ground Storage Tank			
<input type="checkbox"/> Below Ground Storage Tank #1			
<input type="checkbox"/> Below Ground Storage Tank #2			
<input type="checkbox"/> Underfloor Pits			
<input type="checkbox"/> Roofed Storage Shed			
<input type="checkbox"/> Concrete Pad			
<input type="checkbox"/> Impervious Soil Pad			
<input checked="" type="checkbox"/> Other (Specify: <u>FILTER STRIP</u> )	3.5 ACRES	6' DEEP	11.3 ACRE FIELD
<input type="checkbox"/> Other (Specify: _____)			

### Physical Data for CAFO

#### Nutrient Management Plan

All Concentrated Animal Feeding Operations seeking permit coverage after July 31, 2007 are required to complete and implement a Nutrient Management (NMP). The NMP must be submitted to the Department using the form provided by the Department (Form NMP). Check the box below that applies and provide the required information. The NMP must be developed in accordance with ARM 17.30.1334 and implemented upon the effective date of permit coverage. (Check One)

☒ Does the facility have an NMP?

Date NMP was developed: 8/8/2002

Date NMP was last modified: 1/26/2014

☐ NMP has not been prepared; provide detailed explanation below

### Section I – Supplemental Information

**Section J - CERTIFICATION****Permittee Information:**

This Form NMP must be completed, signed, and certified as follows:

- For a corporation, by a principal officer of at least the level of vice president;
- For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- For a municipality, state, federal, or other public facility, by either a principal executive officer or ranking elected official.

**All Permittees Must Complete the Following Certification:**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information; including the possibility of fine and imprisonment for knowing violations. [75-5-633, MCA]

**A. Name (Type or Print)**

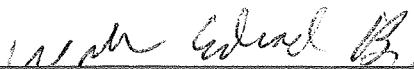
WILLIAM EDWARD BERGIN

**B. Title (Type or Print)**

PRESIDENT

**C. Phone No.**

406-947-2103

**D. Signature****E. Date Signed**

1/26/2014

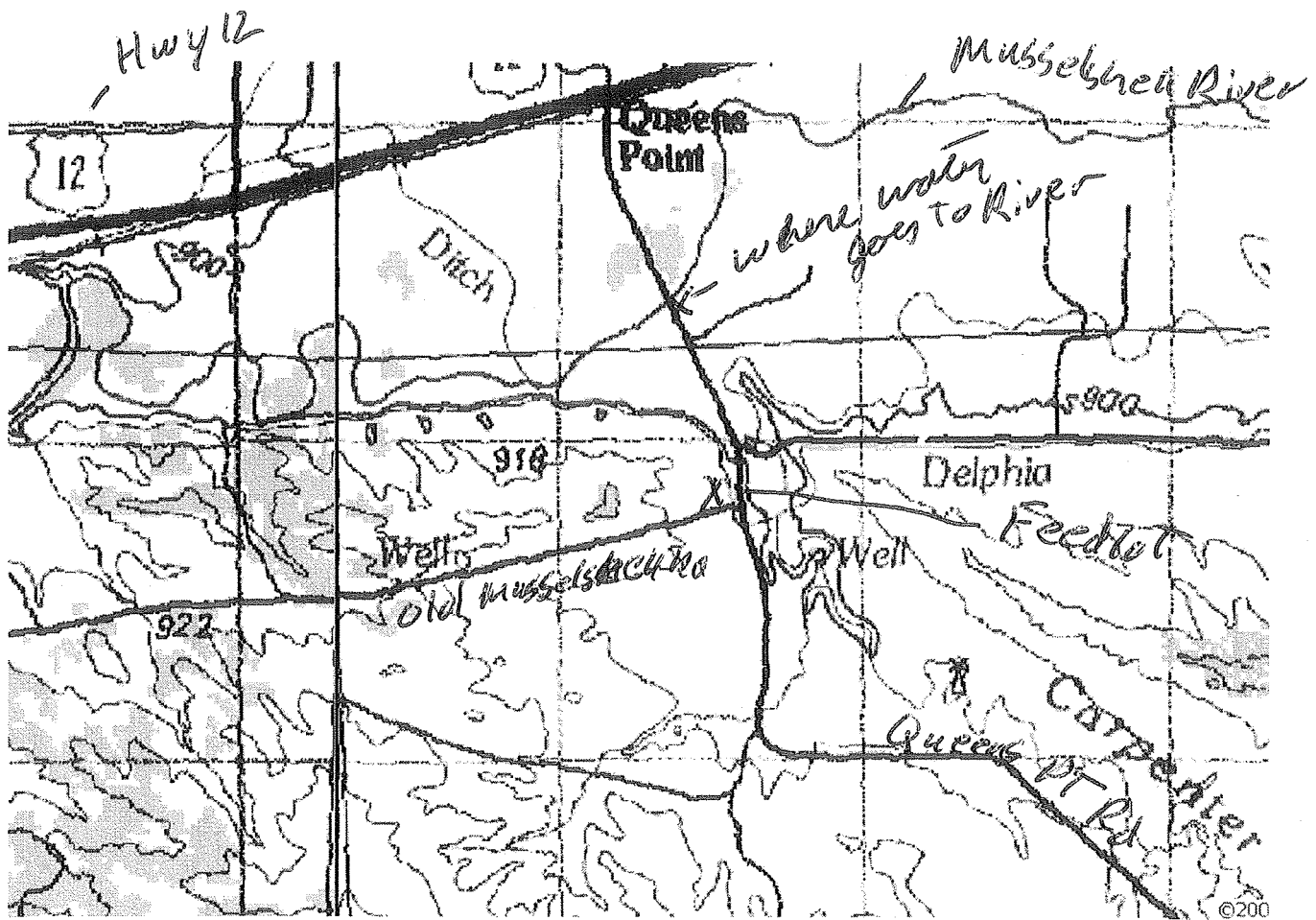
*The Department will not process this form until all of the requested information is supplied, and the appropriate fees are paid. Return this form (NOI) and the applicable fee to:*

Department of Environmental Quality  
Water Protection Bureau  
PO Box 200901  
Helena, MT 59620-0901  
(406) 444-3080


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JAN 29 2014

DEQWPB  
PERMITTING & COMPLIANCE DIV.



Section 6  
Topo Map

AGENCY USE ONLY				
<b>PERMIT NO.:</b> <div style="font-size: 1.5em; font-family: cursive;">MTG 010/99</div>	<b>Date Rec'd.:</b> <div style="font-size: 1.5em; font-family: cursive;">1/29/14</div>	<b>Amount Rec'd.:</b> <div style="font-size: 1.5em; font-family: cursive;">0</div>	<b>Check No.:</b>	<b>Rec'd By:</b> <div style="font-size: 1.5em; font-family: cursive;">bws</div>
 <div style="text-align: center;"> <b>Montana Department of</b>  <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.1em;">ENVIRONMENTAL QUALITY</div>  <b>WATER PROTECTION BUREAU</b> </div>				
<div style="transform: rotate(-15deg); font-weight: bold; font-size: 1.2em;">RECEIVED</div> <div style="font-weight: bold; font-size: 1.1em;">JAN 29 2014</div> <div style="font-weight: bold; font-size: 0.8em;">PERMIT DEQ/WPB &amp; COMPLIANCE DIV.</div>				
<b>FORM</b> <div style="font-weight: bold; font-size: 1.2em;">NMP</div>	<div style="font-weight: bold; font-size: 1.5em;">Nutrient Management Plan</div>			
<p><b>READ THIS BEFORE COMPLETING FORM:</b> Before completing this form (Form NMP), Concentrated Animal Feeding Operation (CAFO) operators need to read the General Permit, particularly Part IV.A. CAFO operators also need to read the "Instructions For filling out Form NMP," found at the back of this form. Form NMP is intended to help CAFO operators develop a site-specific Nutrient Management Plan, in compliance with Part IV.A of the General Permit and all applicable State rules and statutes. Your Nutrient Management Plan must be maintained at the site as required in Part III of the General Permit. Sections B and C on your Form NMP must state the information exactly the same way as it was stated on the most recently submitted version of your NOI-CAFO. Attach additional pages as necessary, indicating the corresponding section number on this NMP form. The 2013 General Permit, current fee schedule, and related forms are available from the Water Protection Bureau at (406) 444-3080 or <a href="http://www.deq.mt.gov/wqinfo/MPDES/CAFO.asp">http://www.deq.mt.gov/wqinfo/MPDES/CAFO.asp</a></p>				
<p><b>Section A – NMP Status:</b></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 15%;"> <input type="checkbox"/> New  <input checked="" type="checkbox"/> Resubmitted  <input checked="" type="checkbox"/> Modification  <input type="checkbox"/> New 2013         </div> <div style="width: 85%;"> <p>No prior NMP submitted for this site.</p> <p>Previous NMP found incomplete.</p> <p>Change or update to existing NMP.</p> <p>New 2013 version of NMP.</p> </div> </div>				
<p><b>Section B – Facility Information:</b></p> <p>Facility Name <u>FOSTER RANCH &amp; FEEDLOT, INC</u></p> <p>Facility Location <u>SECTION 8 &amp; 9, R30 E, T9 N</u></p> <p>Nearest City of Town <u>MELSTONE</u> County <u>MUSSELSHELL</u></p>				
<p><b>Section C – Applicant (Owner/Operator Information):</b></p> <p>Owner or Operator Name <u>WILLIAM EDWARD BERGIN, JR.</u></p> <p>Mailing Address <u>PO BOX 49</u></p> <p>City, State, and Zip code <u>MELSTONE, MT 59054</u></p> <p>Facility Phone Number <u>406-947-2103</u></p> <p>Email <u>jen_bergin@hotmail.com</u></p>				

**Section D – NMP Minimum Elements:****1. Livestock Statistics**

Animal Type and number of animals	# of Days on Site (per year)	Annual Manure Production (tons, cu. yds. or gal
1. BEEF CATTLE UP TO 5000	45-300	2730 T
2.		
3.		
4.		
5.		
6.		
7.		
8.		

**Method used for estimating annual manure production:**

CALCULATION RECIEVED FROM NRCS: 5.2 LBS DRY MANURE PER 1000LBS ANIMAL. 700LBS AVERAGE WEIGHT / 1000 = 3.64 ;BS [ER DAY PER ANIMAL.  $(3.64 * 5000 \text{ HEAD} * 300 \text{ DAYS}) / 2000 = 2730 \text{ TONS MANURE.}$

**2. Manure Handling****a. Describe Manure handling at the facility:**

MANURE IS MOVED IN PENS FROM BEHIND THE BUNKS TO THE CENTER OF THE PEN AS NEEDED. ONE TO TWO TIMES A YEAR, THE MANURE IS REMOVED FROM THE PEN. CLEANING HAS OCCURED IN ALL MONTHS OF THE YEAR, BUT MAIN CLEANING IS DONE USUALLY IN JULY, AUGUST, AND SEPTEMBER.

**b. Frequency of Manure Removal from confinement areas:**

STOCK PILED IN CENTER OF PEN AS NEEDED, MANURE IS REMOVED ANNUALLY AS NEEDED

**c. Is this manure temporarily stored in any location other than the confinement area? ☒ Yes ☐ No****If so then how and where?**

FIELDS STORE THE MANURE FOR A MINIMUM TIME UNTIL ENOUGH MANURE HAS BEEN HAULED WITH THE SEMI AND TRAILER. ONCE ENOUGH HAS BEEN TRASPORTED, THE MANURE IS SPREAD OUT AS FERTALIZER AND WORKED INTO THE FIELD.

**d. Is manure stored on impervious surface? ☐ Yes ☒ No****If yes, describe type and characteristics of this surface:**



3. Waste Control Structures					
Waste Control Structures (name/type)	Length (ft.)	Width (ft.)	Depth (ft.)	Volume (cubic ft. or gallons)	Number of days of storage
1. FILTER STRIPS	1550	100	.5-1	3.5 acres	
2.				+11.3	
3.				acre field	
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					

What is the 24 hr. 25 yr. storm event at this facility 2.7"

Production area: 12 acres. Type of lot (dirt or paved): DIRT

Area contributing drainage form outside CAFO that enters confinement areas and waste storage, conveyance, or treatment structures: 1 acres.

What is the annual precipitation during the critical storage period 3.59" - see attachment

How much freeboard do the pond(s) have 3 feet

#### 4. Disposal of Dead Animals.

Describe how dead animals are disposed of at this facility:

DEAD ANIMALS ARE REMOVED FROM THE FEEDLOT IMMEDIATLY AND BURIED IN THE DESIGNATED DESIGN AREA, N46.33.( W107.58.34, ON PREMISES.

## **5. Clean Water Diversion Practices**

### **Describe how clean water is diverted from production area:**

CLEAN WATER IS DIVERTED AWAY FROM PENS VIA DIKES.

## **6. Prohibiting Animals and Wastes from Contact with State Waters**

### **Describe how animals and wastes are prohibited from direct contact with state waters:**

THE CAFO IS NOT SITUATED NEAR STATE WATERS ( APPROXIMATELY 1 MILE FROM THE MUSSELSHELL RIVER) AND ANIMALS AND WASTE DO NOT HAVE ACCESS TO SUCH.

### **Describe how Chemicals and other contaminants are handled on-site:**

CHEMICALS ARE STORED IN A SECURED BUILDING BEHIND A CLOSED DOOR OFF SITE. CHEMICALS AT FEEDLOT ARE REGULATED TO VETERINARY MEDICAL USAGE ONLY. SPOT SPRAYING OF WEEDS TAKES PLACE DURING SPRING AND FALL ACCORDING TO LABEL USE.

## **7. Best Management Practice (BMPS)**

**Describe in detail all temporary, permanent and structural BMPS which will be used to control runoff of pollutants from facility's production area. Indicate the location of these measures. If BMPS are not installed include a schedule for implementation of each of these measures. Examples of BMP measures could include but are not limited to: constructing ditches, terraces,, and waterways above and open lot to divert clean water run on; installing gutters, downspouts and buried conduits to divert roof drainage; providing more roofed area: decreasing open lot surface area; repairing of adjusting water systems to minimize water wastage; using practical amounts of water for cooling purposes; recycling water if practical and applicable.**

### **Production Area BMP's**

The BMP in place at the feedlot, is a designed system of filter strips which filter out contaminents. All water drainage flows into specific area from the pens which then flows into the filter strips. The feedlot is placed next to a county road where sloping of the road keeps the rainwater drainage into the lot to a minimum. All water tanks are linked to the drainage system and are checked daily to ensure proper drainage and to prevent overflows and unnecessary water usage. Clean water is diverted away from pens to ensure minimal contamination opportunity. Pens are well maintained and cleared to decrease contaminates and nutrient application is properly used on designated fields. Filter strips were designed by MSU and NRCS with ag tours given shortly after construction to provide an example of proper construction and management. Application of irrigation water is monitored closely to prevent runoff.

**Describe in detail all temporary, permanent and structural Best Management Practices (BMPs) which will be used to control runoff of pollutants from facility's land production area. Indicate the location of these practices. If not already in use, include a schedule for implementation of each of these measures. Attached details and specifications may be used to supplement this description. Examples of BMP measures could include but are not limited to: maintaining setbacks from surface waters for manure applications; managing irrigation practices to prevent ponding of wastewater on land application sites;**

never spray irrigating waste on to frozen ground: consulting with the Department prior to applying any liquid waste to frozen or snow-covered ground; applying wastes at agronomic rates.

**Land Application BMP's**

Buffers ☐ Yes ☐ No

Conservation Tillage ☐ Yes ☐ No

Constructed Wetlands ☐ Yes ☐ No

Grass Filter ☐ Yes ☐ No

Infiltration Field ☐ Yes ☐ No

Residue Management ☐ Yes ☐ No

Set backs ☐ Yes ☐ No

Terrace ☐ Yes ☐ No

Other examples

**8. Implementation, Operation, Maintenance and Record Keeping – Guidance**

The permittee is required to develop guidance addressing implementation of NMP, proper operation and maintenance of the facility, and record keeping as described in Part 2 of the permit.

Has a guidance document been developed for the facility? ☒ Yes ☐ No

**Certify the document address the following requirements:**

Implementation of the NMP: ☒ Yes ☐ No

Facility operation and maintenance: ☒ Yes ☐ No

Record keeping and reporting ☒ Yes ☐ No

Sample collection and analysis: ☒ Yes ☐ No

Manure transfer ☒ Yes ☐ No

**Provide name, date and location of most recent documentation:**

JENNIFER BERGIN - SECRETARY, 1/26/2014, FOSTER RANCH & FEEDLOT, INC. OFFICE, 71 QUEEN'S POINT RD, MELSTONE, MT 59054

**If your answer to any of the above question is no, provide explanation:**

### **Section E – Land Application**

Will manure be land applied to land either owned, rented, or leased by the owner or operator of the facility?

- ☐ Yes If yes, then the information requested in Section E must be provided.
- ☒ No If no, then provide an explanation of how animal waste at this facility are managed.

**MANURE WILL BE GIVEN TO AREA RANCHERS, WITH TRANSFER DOCUMENTS RECORDED.**

#### **Photos and/or Maps**

Attach an aerial photograph or map of the site where manure is to be applied. (Use multiple photos/maps if necessary to show required details.) The photo(s)/map(s) must be printed on no larger than an 11"X 17" piece of paper, and must clearly identify the following items:

- Individual field boundaries for all planned land application areas
- A name, number, letter or other means of identifying each individual land application field
- The location of any downgradient surface waters.
- The location of any downgradient open tile line intake structures
- The location of any downgradient sinkholes
- The location of any downgradient agricultural well heads
- The location of all conduits to surface waters
- The specific manure/waste handling or nutrient management restrictions associated with each land application field
- The soil type(s) present and their locations within the individual land application field(s)
- The location of buffers and setbacks around state surface waters, well heads, etc.

#### **Land Application Equipment Calibration**

Describe the type of equipment used to land apply wastes and the calibration procedures:

#### **Manure Sampling and Analysis Procedures**

A representative manure sample will be analyzed a minimum of once annually for Total Nitrogen, and Total Phosphorus. Analysis results will be reported in lbs/ton or lbs/1,000 gal. Results of these analyses will be used in determining rates for manure, litter, and process wastewater.

Manure Sample collection will occur according to ARM 17.30.1334

Other (describe)

#### **Soil Sampling and Analysis Procedures**

Representative soil (composite) samples from the top 6 inches layer of soil for each field where manure will be applied must be analyzed for phosphorus content at least once every three years. Analyses will be conducted by a qualified laboratory, using the Olsen P test. Results will be reported in parts per million (ppm) and will be used in determining application rates for manure, litter, and process wastewater

Soil samples collection will occur according the methods in ARM 17.30.1334

Other (describe)

#### **Phosphorus Risk Assessment**

The permittee shall assess the risk of phosphorus contamination of state waters. An assessment shall be conducted for each field, under the control of the operator, to which manure, litter or process wastewater will or

may be applied. If a new field is added in the future, then the permittee must submit a revised (modified) NMP. The permittee has the option of using Method A or Method B (below) to complete the assessment. Copies of all tables and calculations used to complete the assessments, as well as the results of the assessments, shall be submitted to the Department and copies shall be maintained on-site at the facility and available for Departmental review. The results of the assessments shall be used to determine the appropriate basis for land application of wastes from the facility.

### Method Used

Indicate which method will be used to determine phosphorus application:

Method A – Representative Soil Sample

Method B – Phosphorus Index

### Method A – Representative Soil Sample

- Obtain one or more representative soil sample(s) from the field per 17.30.1334
- Have the sample analyzed for Phosphorus by a qualified lab. The “Olsen P test” must be used for the analysis, and the result must be reported in parts per million (ppm)
- Using the results of the Olsen P test, determine application basis according to the Table below.

### Soil Test

Olsen P Soil Test Results (ppm)	Application Basis
<25.0	Nitrogen Needs of Crop
25.1 - 100.0	Phosphorus Needs of Crop
100.0 – 150.0	Phosphorus Needs up to Crop Removal Rate
>150.0	No Application allowed

### Method B – Phosphorus Index

- Complete a phosphorus Index according to the crop grown on each field. Complete table in Appendix A to calculate phosphorus index. For information on filling out specific sections in Appendix A, please refer to the method as described in Natural Resource Conservation Service (NRCS), Agronomy Technical Note MT-77 (rev3), January 2006.
- Using the calculated Total Phosphorus Index Value, assign the overall site/field vulnerability to phosphorus loss according to the table below.

### Total Phosphorus

Total Phosphorus Index Value	Site Vulnerability to Phosphorus Loss
<11	Low
11-21	Medium
22-43	High
>43	Very High

- Using the calculated Site Vulnerability to Phosphorus Loss, determine the appropriate application basis according to the table below.

Site Vulnerability to Phosphorus Loss	Application Basis
Low	Nitrogen Needs
Medium	Nitrogen Needs
High	Phosphorus Need Up to Crop Removal
Very High	Phosphorus Crop Removal or No Application

The applicant has 2 ways in which to report how manure or process wastewater application rates can be reported to DEQ.

**1. Linear Approach.** Expresses rates of application as pounds of nitrogen and phosphorus. CAFOs selecting the linear approach to address rates of application must include in the NMP submitted to the permitting authority the following information for each crop, field, and year covered by the NMP, which will be used by the permitting authority to establish site-specific permit terms:

- The maximum application rate (pounds/acre/year of nitrogen and phosphorus) from manure, litter, and process wastewater.
- The outcome of the field-specific assessment of the potential for nitrogen and phosphorus transport from each field. [If a state does not have an N transport risk assessment, the NMP must document any basis for assuming that nitrogen will be fully used by crops.] The CAFO must specify any conservation practices used in calculating the risk rating.
- The crops to be planted or any other uses of a field such as pasture or fallow fields.
- The realistic annual yield goal for each crop or use identified for each field.
- The nitrogen and phosphorus recommendations from in ARM 17.30.1334 (technical standard) for each crop or use identified for each field.
- Credits for all residual nitrogen in each field that will be plant-available.
- Consideration of multi-year phosphorus application. For any field where nutrients are applied at a rate based on the crop phosphorus requirement, the NMP must account for single-year nutrient applications that supply more than the crop's annual phosphorus requirement.
- All other additions of plant available nitrogen and phosphorus (i.e., from sources other than manure, litter, or process wastewater or credits for residual nitrogen).
- The form and source of manure, litter, and process wastewater to be land-applied.
- The timing and method of land application. The NMP also must include storage capacities needed to ensure adequate storage that accommodates the timing indicated.
- The methodology that will be used to account for the amount of nitrogen and phosphorus in the manure, litter, and wastewater to be applied.
- Any other factors necessary to determine the maximum application rate identified in accordance with this Linear Approach.

**2. Narrative Rate Approach.** Expresses a narrative rate of application that results in the amount, in tons or gallons, of manure, litter, and process wastewater to be land applied. CAFOs selecting the narrative rate approach to address rates of application must include in the NMP submitted to the permitting authority the following information for each crop, field, and year covered by the NMP, which will be used by the permitting authority to establish site-specific permit terms:

- The maximum amounts of nitrogen and phosphorus that will be derived from all sources of nutrients (pounds/acre for each crop and field).
- The outcome of the field-specific assessment of the potential for nitrogen and phosphorus transport from each field. The CAFO must specify any conservation practices used in calculating the risk rating.
- The crops to be planted in each field or any other uses of a field such as pasture or fallow fields, including alternative crops if applicable. Any alternative crops included in the NMP must be listed by field, in addition to the crops identified in the planned crop rotation for that field.
- The realistic annual yield goal for each crop or use identified for each field for each year, including any alternative crops identified.
- The nitrogen and phosphorus recommendations from *[the permitting authority to specify acceptable sources]* for each crop or use identified for each field, including any alternative crops identified.
- The methodology (including formulas, sources of data, protocols for making determination, etc.) and actual data that will be used to account for: (1) the results of soil tests required by Parts II.A.4.b and III.A.3.g of this

permit, (2) credits for all nitrogen in the field that will be plant- available, (3) the amount of nitrogen and phosphorus in the manure, litter, and process wastewater to be applied, (4) consideration of multi-year phosphorus application (for any field where nutrients are applied at a rate based on the crop phosphorus requirement, the methodology must account for single-year nutrient applications that supply more than the crop's annual phosphorus requirement), (5) all other additions of plant available nitrogen and phosphorus to the field (i.e., from sources other than manure, litter, or process wastewater or credits for residual nitrogen), (6) timing and method of land application, and (7) volatilization of nitrogen and mineralization of organic nitrogen.

- Any other factors necessary to determine the amounts of nitrogen and phosphorus to be applied in accordance with the Narrative Rate Approach.
- NMPs using the Narrative Rate Approach must also include the following projections, which will not be used by the permitting authority in establishing site-specific permit terms:
  - i. Planned crop rotations for each field for the period of permit coverage.
  - ii. Projected amount of manure, litter, or process wastewater to be applied.
  - iii. Projected credits for all nitrogen in the field that will be plant-available.
  - iv. Consideration of multi-year phosphorus application.
  - v. Accounting for other additions of plant-available nitrogen and phosphorus to the field.
  - vi. The predicted form, source, and method of application of manure, litter, and process wastewater for each crop
- If the receiving water is on the 303(d) list for nutrients then the narrative rate approach must be used.
- a. For the Linear Approach the permittee will complete the Nutrient Budget Worksheet, below, for the next 5 years to which manure or process waste water is or may be applied. A copy of each Nutrient Budget Worksheet will be maintained on site, and a copy will be submitted to the Department.

# Nutrient Budget Worksheet

Field identification:		Year:	Crop:
Expected Crop Yield:			
Phosphorus index results or Phosphorus application from soil test:			
Method of Application:			
When will application occur:			
Nutrient Budget		Nitrogen-based Application	Phosphorus-based Application
1	Crop Nutrient Needs, lbs/acre		
2	(-) Credits from previous legume crops, lbs/ac		
3	(-) Residuals from past manure production lbs/acre		
4	(-) Nutrients supplied by commercial fertilizer and Biosolids, lbs/acre		
5	(-) Nutrients supplied in irrigation water, lbs/acre		
6	= <b>Additional Nutrients Needed, lbs/acre</b>		
7	Total Nitrogen and Phosphorus in manure, lbs/ton or lbs/1000 gal (from manure test)		
8	(x) Nutrient Availability factor, for Phosphorus based application use 1.0		
9	= <b>Available Nutrients in Manure, lbs/ton or lbs/1000 gal</b>		
10	Additional Nutrients needed, lbs/acre (calculated above)		
11	(/) Available Nutrients in Manure, lbs/ton or lbs/1000 gal (calculated above)		
12	= <b>Manure Application Rate, tons/acre or 1000 gal/acre</b>		

Comments:



**Section F - CERTIFICATION**

**Permittee Information:** This form must be completed, signed, and certified as follows:

- For a corporation, by a principal officer of at least the level of vice president;
- For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- For a municipality, state, federal, or other public facility, by either a principal executive officer or ranking elected official.

**All Permittees Must Complete the Following Certification:**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information; including the possibility of fine and imprisonment for knowing violations. [75-5-633, MCA]

**A. Name (Type or Print)**

WILLIAM EDWARD BERGIN, JR

**B. Title (Type or Print)**

PRESIDENT

**C. Phone No.**

406-947-2103

**D. Signature**

*William Bergin*

**E. Date Signed**

01/26/2014

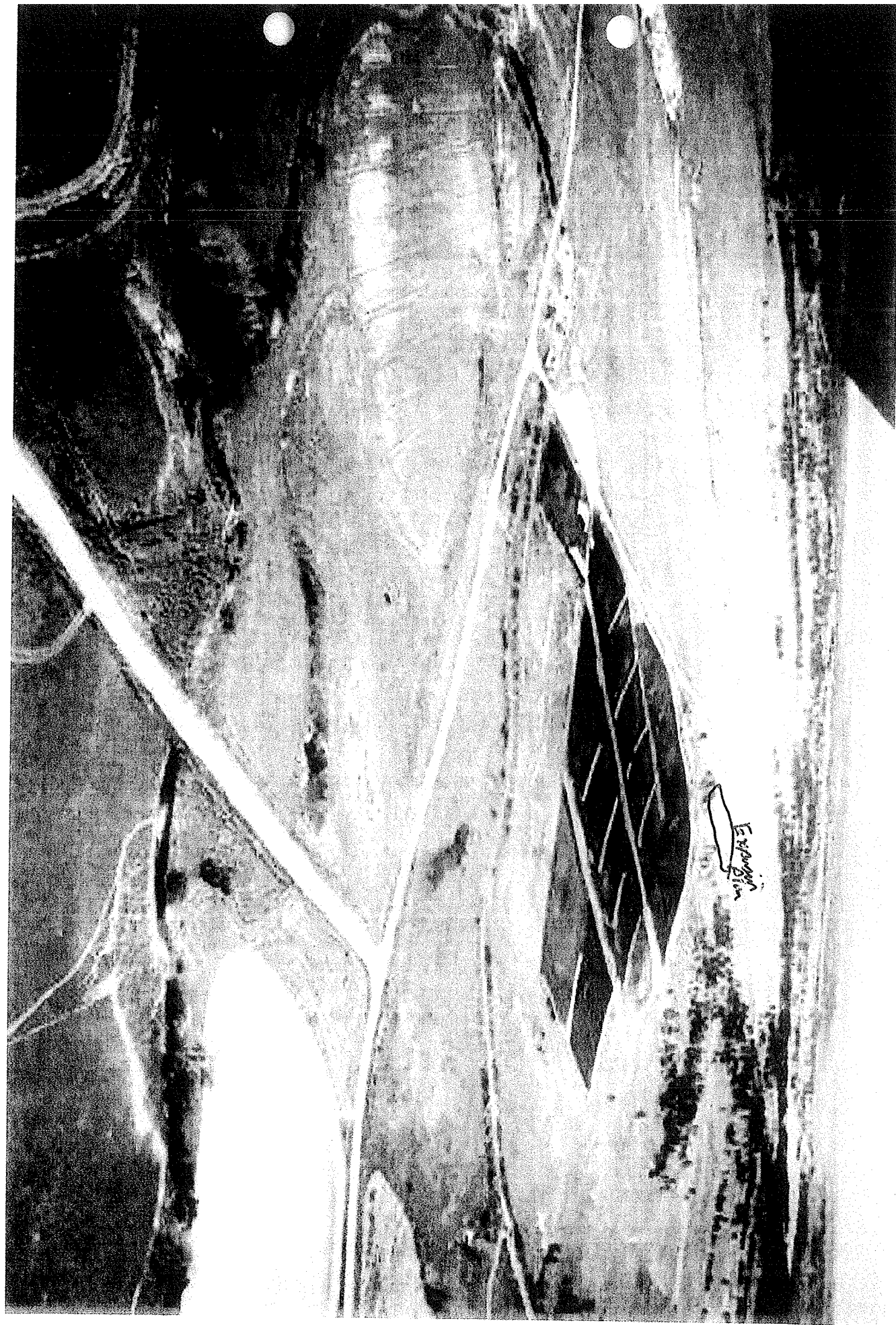
*The Department will not process this form until all of the requested information is supplied, and the appropriate fees are paid. Return this form and the applicable fee to:*

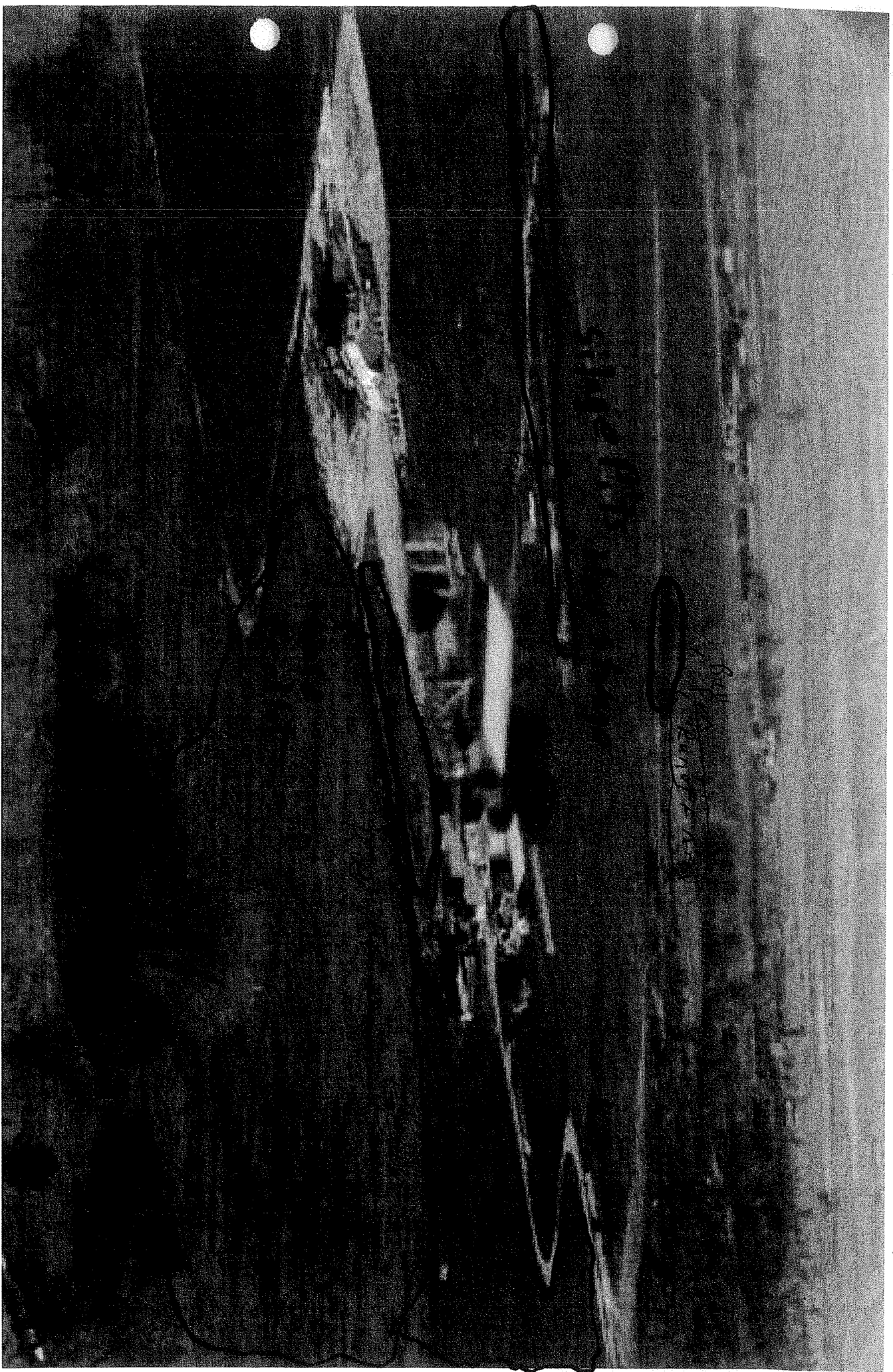
Department of Environmental Quality  
Water Protection Bureau  
PO Box 200901  
Helena, MT 59620-0901  
(406) 444-3080

RECEIVED

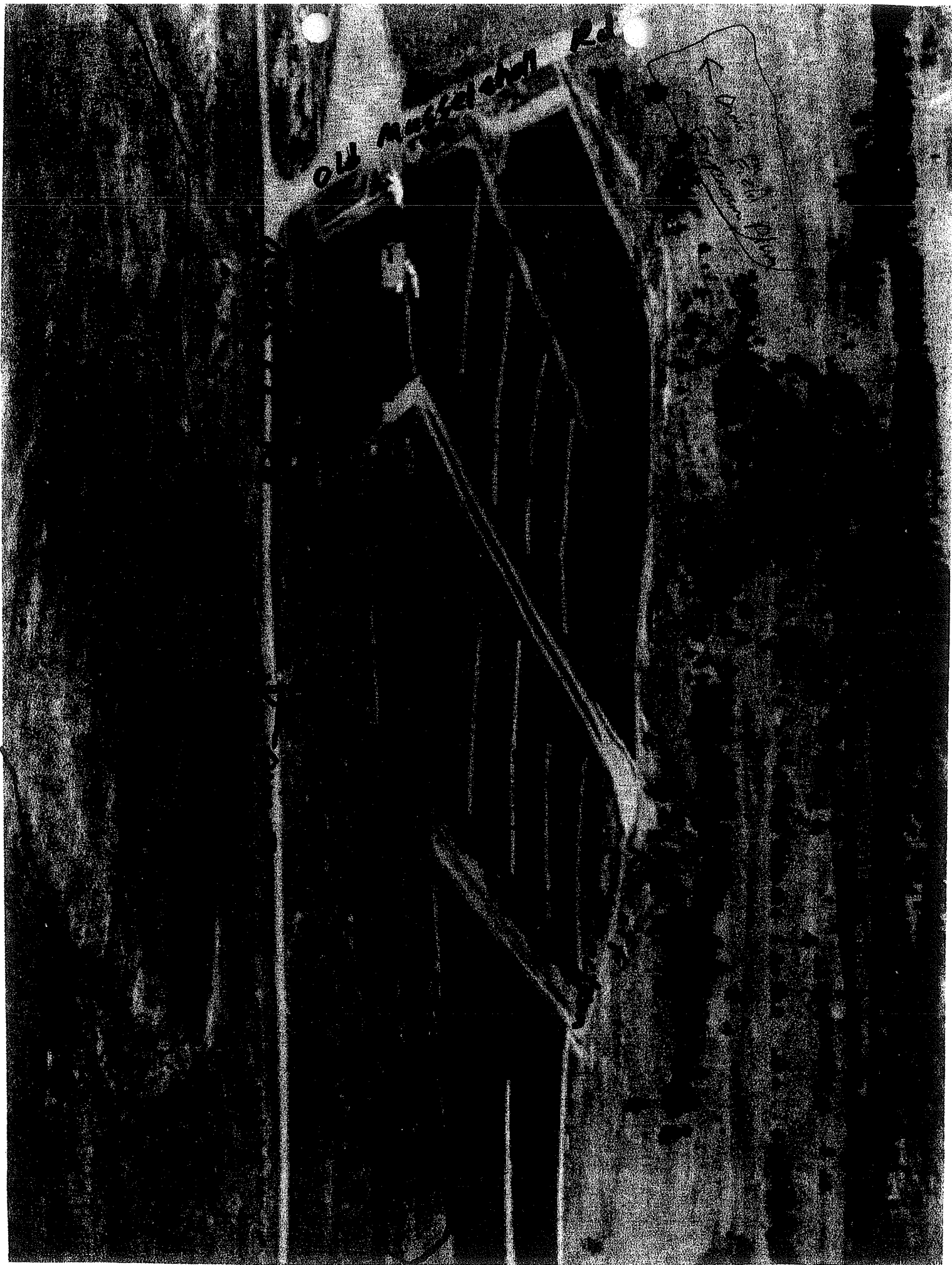
JAN 29 2014

DEQ/WPB  
PERMITTING & COMPLIANCE DIV.

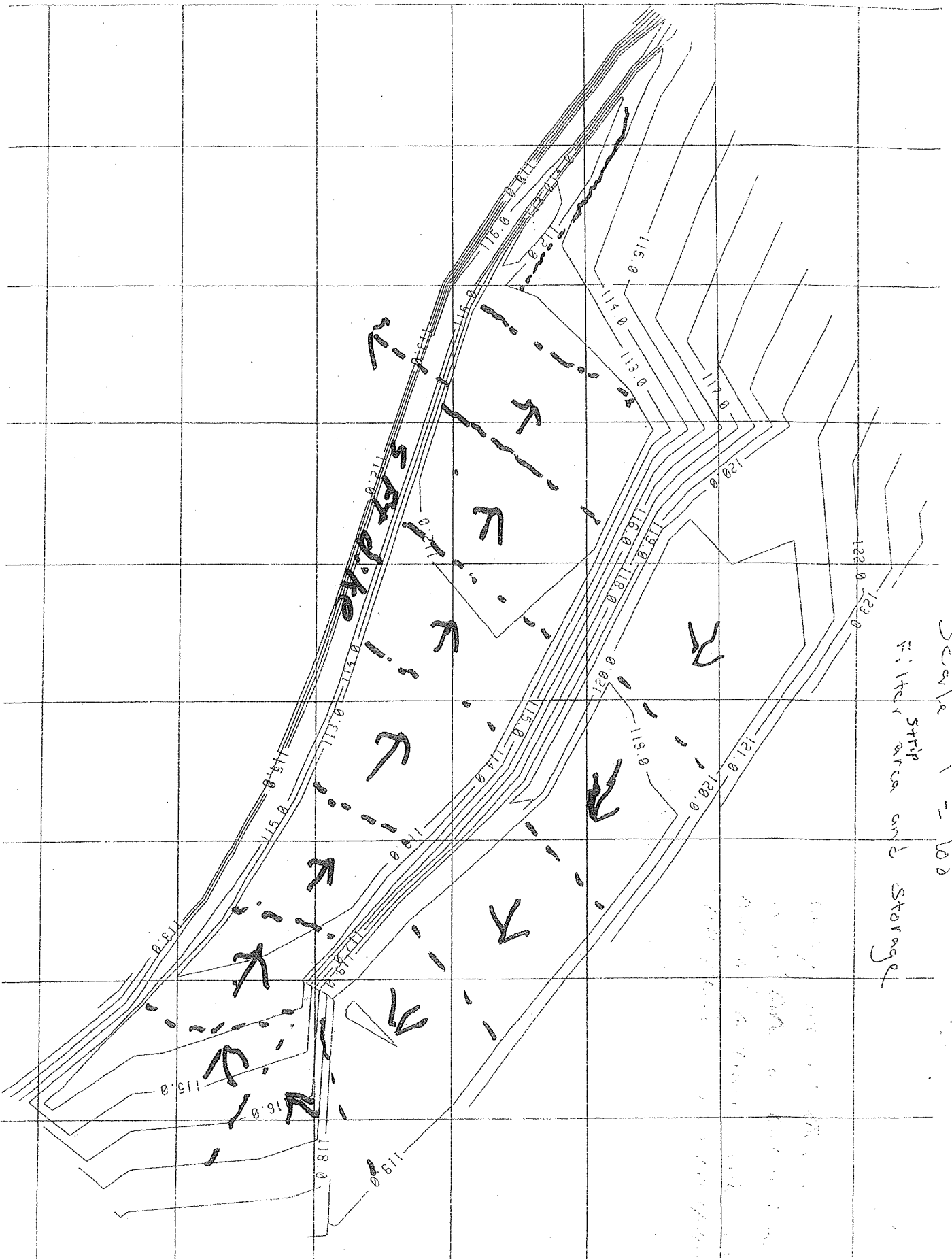








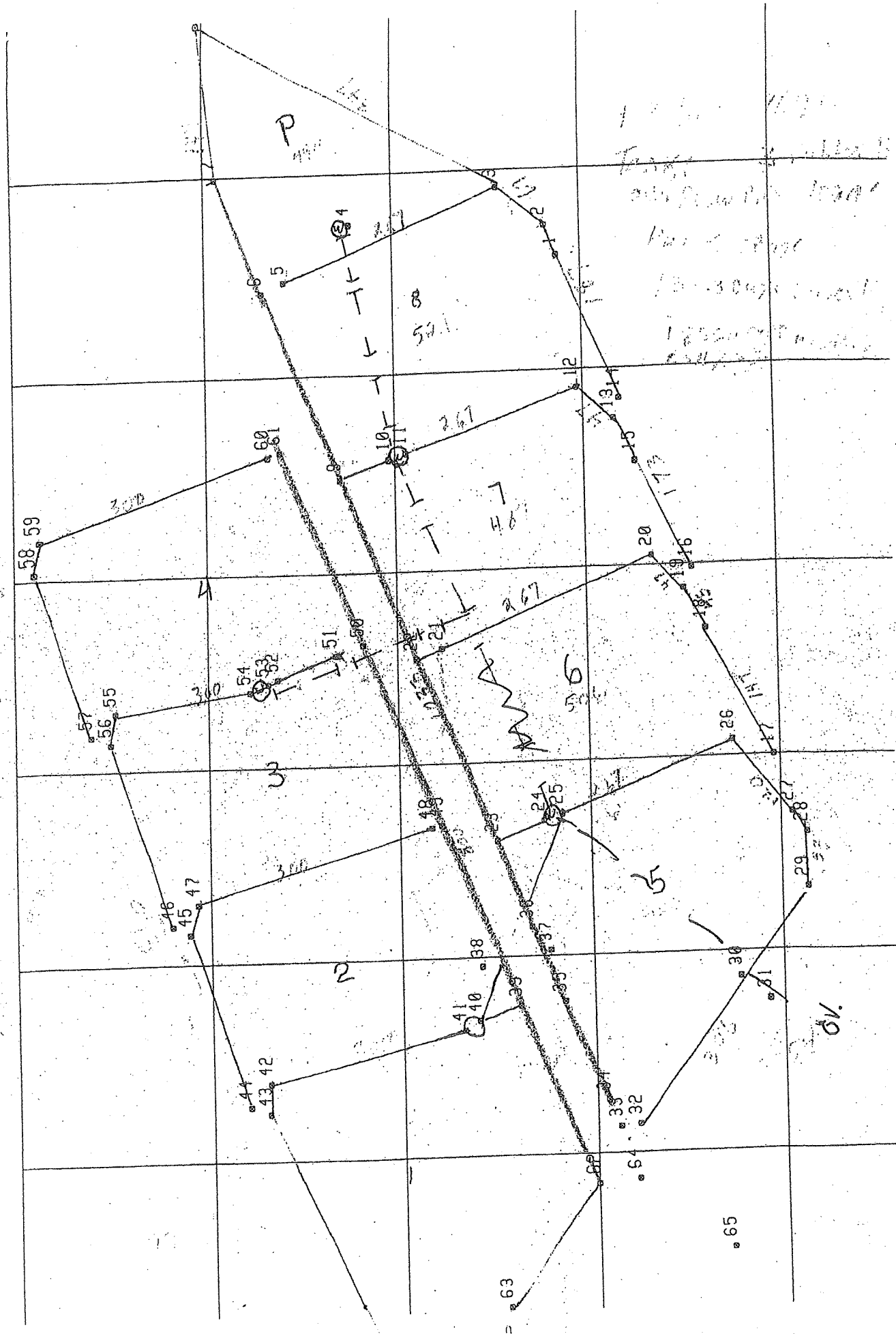
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1 = 15541

footlot



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